

REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks.

Upon entry of this Amendment, claims 1-23 are pending in the application. Applicant acknowledges a restriction requirement between the method claims 1-8 and the apparatus claims 9-11 and confirms the previous, oral election of claims 1-8. Accordingly, claims 9-11 have been withdrawn from consideration. In the Amendment, claims 1 and 5 have been amended and claims 12-23 have been added while claims 9-11 have been canceled.

Claims 5-8 are rejected under 35 U.S.C. §112, second paragraph. Claim 5 has been amended for clarity purposes in order to overcome this rejection. Withdrawal of this rejection is respectfully requested.

Claims 1-4 are rejected under 35 U.S.C. §102(e) by Ellison, U.S. Patent No. 6,399,193. Applicant respectfully requests the Examiner to reconsider this rejection based on the amendment to claim 1 and the following distinguishing comments.

Claim 1 is directed to a method of producing an exterior body panel for use on automotive vehicles. The method comprises: providing a decorative layer; forming a laminate by providing a thermoplastic material on a top side and on a bottom side of the decorative layer, at least one of the top side and bottom side being substantially transparent; heating the laminate; conforming the laminate into a desired shape; and cooling the laminate. The thermoplastic material on the side opposite to the transparent layer, when cooled, is sufficiently rigid to form an exterior body panel for attachment to the exterior surface of a vehicle frame.

Ellison does not disclose a method of producing an exterior body panel as recited in claim 1. In Ellison, the disclosed laminate is further molded to a substrate prior to being installed to an automobile (see column 6, line 61 to column 7, line 12). Accordingly, Ellison does not disclose that the thermoplastic material on the side opposite the transparent layer, when cooled, is sufficiently rigid to form an exterior body panel for attachment to the exterior surface of a vehicle frame, as recited in claim 1. Withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2-4 are allowable by virtue of their dependence on claim 1 and for their recitation of additional patentable subject matter.

Claims 5-8 are rejected under 35 U.S.C. §103(a) over Ellison in view of Mueller, U.S. Patent No. 5,230,906. Applicant respectfully requests the Examiner to reconsider this rejection based on the amendment to claim 5 and the following distinguishing comments.

Claim 5 is directed to a method of making vacuum formed exterior body panels. The method comprises: providing a layer of decorative material; depositing on one side of the decorative material a mixture of epoxy and resin which when cured forms a plastic layer that is substantially transparent; depositing on an opposite side of the decorative material a mixture of epoxy and resin which when cured forms a plastic layer; heating the decorative material and the plastic layers; pressing the decorative material, the top plastic layer and the bottom plastic layer in a vacuum mold to form a laminate; and cooling the pressed laminate. The plastic layer on the side opposite to the transparent plastic layer, when cooled, is sufficiently rigid to form an exterior body panel for attachment to the exterior surface of a vehicle frame.

Neither Ellison nor Mueller, alone or in combination, disclose or suggest a method of making vacuum form exterior body panels as recited in claim 5. As noted above with respect to claim 1, Ellison does not disclose or suggest that the plastic layer on the side opposite to the transparent plastic layer, when cooled, is sufficiently rigid to form an exterior body panel for attachment to the exterior surface of a vehicle frame, as recited in claim 5. Mueller discloses soaking a fiber-reinforced article in an epoxy resin. This does not make up for the deficiencies noted above with respect to Ellison. Withdrawal of the rejection of claim 5 is respectfully requested.

Claims 6-8 are allowable by virtue of their dependence on claim 5 and for their recitation of additional patentable subject matter.

New claims 12-20 have been added. Claims 12, 14 and 16 depend from claim 1 and should be allowable based on their dependence on claim 1 and for their recitation of additional patentable subject matter. Claims 13, 15 and 17 depend from claim 5 and should be allowable based on their dependence on claim 5 and for their recitation of additional patentable subject matter. New independent claim 18 recites a method of providing an exterior body panel on an automotive vehicle and is also allowable, as are claims 19-23, which depend from claim 18. Entry and allowance of these new claims is respectfully requested.

All rejections have been addressed. It is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

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